

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FILED

CO MAR 30 PM 4:26

U.S.D. OF ALABAMA

JUDY CAUFIELD,

Plaintiff,

vs.

SOUTHERN RUBBER COMPANY, INC.,

Defendant.

CIVIL ACTION NO.:

CV 99-BU-3160-S

Denied at this point.
USDS
3/31/00
May submit.

MOTION TO DISMISS COUNTERCLAIM IN WHOLE OR IN PART

The plaintiff respectfully requests the issuance of an order dismissing the defendant's counterclaim in the above styled action in whole or in part.

As grounds for this motion, the plaintiff states as follows:

1. This is a suit for violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq., the Americans with Disabilities Act, and the Family and Medical Leave Act ("FMLA").
2. The defendant has filed a two (2) count counterclaim in response to the plaintiff's complaint and amended complaint.

Intentional Interference Contractual Relations

3. The defendant's second count to its counterclaim counterclaim alleges the plaintiff intentionally interfered with the defendant's contractual relations by allegedly removing or destroying files belonging to the

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